

125.

BEFORE THE PUBLIC UTILITIES COMMISSION

STATE OF HAWAII

In the Matter of the Application of)
HAWAII ELECTRIC LIGHT COMPANY,)
INC.)
For Approval of Rate Increases and)
Revised Rate Schedule and Rules)

Docket No. 05-15

PUBLIC UTILITIES
COMMISSION

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FILED

PARTIAL OBJECTIONS BY THE KEAHOLE DEFENSE COALITION
TO THE STIPULATION ENTERED INTO BY HAWAII ELECTRIC LIGHT
COMPANY, INC. AND THE DIVISION OF CONSUMER ADVOCACY
DATED APRIL 11, 2007

and

CERTIFICATE OF SERVICE

KEICHI IKEDA, President
Keahole Defense Coalition
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31 KH
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PARTIAL OBJECTIONS BY THE KEAHOLE DEFENSE COALITION
TO THE STIPULATION ENTERED INTO BY HAWAII ELECTRIC LIGHT
COMPANY, INC. AND THE DIVISION OF CONSUMER ADVOCACY
DATED APRIL 11, 2007

The KEAHOLE DEFENSE COALITION objects to the portion of the Stipulation entered into by Hawaii Electric Light Company, Inc. and the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs that purports to cancel the evidentiary hearing in this rate case and to eliminate the consumers' opportunity to present testimony to the Public Utilities Commission. The reason for the partial objections are stated below.

The Stipulation on its face "cancels" the evidentiary hearing that is presently scheduled to being the week of May 7, 2007 and by implication asks the Public Utilities Commission to eliminate the evidentiary hearing. However, Section 269-16(b), HRS states that:

"A contested case hearing shall be held in connection with any increase in rates, and the hearing shall be preceded by a public hearing ... at which the consumers or patrons of the public utility may present testimony to the commission concerning the increase. The commission, upon notice to the public utility, may ... [a]fter a hearing, by order ... fix and change all such rates, fares, charges, classifications, schedules, rules, and practices so that the same shall be just and reasonable; ..." (emphasis added)

The "cancellation" of the "contested case hearing," i.e., the evidentiary hearing, suggests that the preceding "public hearing" should also be "cancelled," meaning that consumers will not be allowed to present testimony to the Commission on the rate increase.

Nonetheless, it is the Public Utilities Commission (not the stipulating parties') obligation to ensure that the provisions of Section 269-16, HRS are carried out. The Keahole Defense Coalition contends that if the stipulating parties choose to waive their respective rights of cross-examination or to submit their respective cases in writing alone, the Public Utilities Commission can and should conduct its own examination of all witnesses and interested persons under Section 269-16(b), HRS and, more importantly, to afford the consumers opportunity to present testimony when the Public Utilities Commission convenes to conduct its examination.

Dated at Kailua-Kona, Hawaii: April 16, 2007.

KEAHOLE DEFENSE COALITION

By Keichi Ikeda
Keichi Ikeda
Its President

CERTIFICATE OF SERVICE

I certify that I served a copy of the foregoing partial objections to the persons noted by mail at the United States Post Office, Kailua-Kona, Hawaii 96740, addressed and postage prepaid on the date noted below:

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Dated at Kailua-Kona, Hawaii: April 16, 2007.



KEICHI IKEDA